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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.												
10/506,709	09/07/2004	Tomoyuki Shudo	450100-04898	3574												
7590 William S Frommer Frommer Lawrence & Haug 745 Fifth Avenue New York, NY 10151		06/01/2007	<table border="1"><tr><td colspan="2">EXAMINER</td></tr><tr><td colspan="2">SMITH, JEFFREY S</td></tr><tr><td>ART UNIT</td><td>PAPER NUMBER</td></tr><tr><td>2624</td><td></td></tr><tr><td>MAIL DATE</td><td>DELIVERY MODE</td></tr><tr><td>06/01/2007</td><td>PAPER</td></tr></table>		EXAMINER		SMITH, JEFFREY S		ART UNIT	PAPER NUMBER	2624		MAIL DATE	DELIVERY MODE	06/01/2007	PAPER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/506,709

Applicant(s)

SHUDO ET AL.

Examiner

Jeffrey S. Smith

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 8-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/06, 11/06, 9/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Claims 8-13 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on May 11, 2007. Claims 1-7 are examined on the merits.

Requirement For Information

The Examiner appreciates applicant's complete response to the requirement in the previous Office action. The requirement to disclose all rejections from corresponding foreign filed applications that are or claim priority to Japan 2003-2678 filed January 8, 2003 or Japan 2003-34319 filed February 12, 2003, or both, continues until this application issues as a patent.

Information Disclosure Statement

The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609.04(a) states, "the list may not be incorporated into the specification but must be submitted in a separate paper."

The references Japan 2001-254258 and Japan H10-199124 cited at page 2 of the specification have not been cited in an IDS. Japan H10-199124 has been submitted

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without an IDS in response to the requirement for information, and Japan 2001-254258 has not been submitted. However, applicant has made an honest attempt to have these references considered, so to advance prosecution the Examiner has considered Japan H10-199124 as indicated in the Notice of References Cited. The Examiner has been unable to locate a Japanese reference with the number 2001-254258 that is related to recording pictures as discussed on page 2 of the specification. Therefore, this reference has not been considered.

Claim Objections

Claim 7 is objected to because of the following informalities: Claim 7 should depend from claim 6 in order to have antecedent basis for the shaft. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 and 6-7 are rejected under 35 U.S.C. 103 as being unpatentable over U.S. Patent Number 7,025,274 issued to Solomon et al. ("Solomon") in view of U.S. Patent Number 7,050,190 issued to Yamazaki et al. ("Yamazaki").

Solomon discloses a semiconductor memory insertion unit into which semiconductor memory, which has recorded therein the edit material information and/or the resultant edited information, is removably inserted (see figure 2d, the component receptacle 98 may support a memory card, such as a flash memory or other desired memory. Claim 1 recites an apparatus that is intended to be used to edit pictures. The elements of the claim that reflect the intended use are given weight to the extent that the prior art is capable of performing the intended use. Therefore, the flash memory card of Solomon is capable of storing digital pictures and the laptop is capable of reading the digital pictures from the flash memory, editing the pictures, and storing the edited pictures in the flash memory. This is especially true in light of the picture editing software disclosed by Yamazaki as discussed below. Editing pictures is well known in the art); a display unit for concurrently displaying a plurality of images (display 22 is for concurrently displaying a plurality of images); a control unit for controlling the processing of writing/reading information to/from the semiconductor memories inserted into the plural semiconductor memory insertion unit, and for controlling the processing of editing the edit material information, and for controlling the processing of displaying a plurality of images on the display unit (the laptop of Solomon has an input/output interface to control reading and writing information from and to the flash memory, to control the images on the display, to control the editing information received from the

input devices, and to display a plurality of images on the display unit); and an edit processing unit that is controlled by the control unit to edit the edit material information to output resultant edited information (the laptop has a processor to edit material information).

Yamazaki discloses a plurality of semiconductor memory insertion units into which a plurality of semiconductor memories, which have recorded therein the edit material information and/or the resultant edited information, are removably inserted (see figure 1D, memory slots 7 are created on the top-surface side of the information-processing apparatus 1. The information-processing apparatus 1 is capable of recording and playing back various kinds of data into and from a memory card 70. The types of data include computer data, music data, audio data, moving-picture data, still-picture data and control data).

Yamazaki discloses a display unit for concurrently displaying a plurality of images (The display unit 2 is used for displaying various kinds of information such as pictures, data in the form of pictures and characters, and a guide message giving an instruction for carrying out edit operations).

Yamazaki discloses a control unit for controlling the processing of writing/reading information to/from the semiconductor memories inserted into the plural semiconductor memory insertion units, and for controlling the processing of editing the edit material information, and for controlling the processing of displaying a plurality of images on the display (see figure 19, the control IC 80 employed in the memory card 70 comprises

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blocks including a flash memory controller 80a that transfers data between the flash memory and the page buffer 80c).

Yamazaki discloses an edit processing unit that is controlled by the control unit to edit the edit material information to output resultant edited information (By execution of predetermined application programs, the CPU 22 is capable of editing data of an image-sensed picture and recording the data into the memory card 70).

It would have been obvious to one of ordinary skill in the art at the time of invention to replace the single semiconductor memory slot of Solomon with the plural semiconductor memory slots of Yamazaki because it "is needless to say that the number of memory slots ... can be 1 or 3 or greater" as taught by Yamazaki.

For claim 2, Solomon discloses a main body of portable dimensions, and a cover that is so supported as to open and close freely in relation to the main body, and has its one surface facing the main body made to be of substantially the same shape as that of the main surface of the main body, wherein the display unit is arranged on the surface of the cover facing the main body (see figures 7 and 8, the display screen assembly 22 faces the user input section 200 for simultaneous use of both the tablet computing device 12 and the keyboard 14, and the mounting bar 182 is hingedly coupled to the rotatable disk structure 192, such that the tablet computing device is pivotal between an upright orientation and a parallel orientation relative to the keyboard 14).

For claim 3, Yamazaki discloses that at least some of the semiconductor memories inserted into the plural semiconductor memory insertion units have stored therein the edit material information (the types of data stored in a memory card 70

includes moving picture data, still picture data and control data), and the control unit reads out the edit material information from at least some of the semiconductor memories to make the edit processing unit edit the edit material information (the memory slots 7 are created for memory cards 70, allowing the memory cards 70 to be mounted on the information processing apparatus1. The CPU 22 is capable of making an access to any one of the memory cards 70 through a memory card interface 28 in write and read operations), and controls the processing of writing resultant edited information to at least one of the semiconductor memories inserted into the plural semiconductor memory insertion units (the CPU 22 is capable of editing data of a picture and recording the data into the memory card 70).

For claim 6, Solomon in figure 17 discloses a shaft portion 278 whose axis is parallel with respective one sides of the main body 30 and the cover 28 is arranged on extension portions 274 extending from the respective corresponding one sides of the main body and the cover, and the main body and the cover are pivotably coupled by the shaft portion.

For claim 7, which is interpreted as depending from claim 6 to avoid antecedent basis problems as discussed above in the objection to claim 7, Solomon discloses the shaft portion 278 has shaft-end operation portions that protrude from the shaft portion along its axis direction (the hinges on either side of shaft 278 are shaft end operation portions that operate to move the cover 28).

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Solomon and Yamazaki as applied to claim 1 above, and further in view of U.S. Patent Number 6,636,197 issued to Goldenberg et al. ("Goldenberg").

For claim 4 Goldenberg discloses an operation unit which can move in parallel with a direction along which a plurality of images are displayed on the display unit when the cover is opened, and a semiconductor memory having written therein edit material information, which is to be edited by the edit processing unit, is selected when the operation unit moves in parallel (see figure 1, the operation unit can move in parallel as shown by arrows 32, with a direction along which a plurality of images are displayed on the display unit as shown by letters 34 in the display unit, such as c, g, k, and o. The operation unit of Goldenberg can be used as an input device to control the reading and writing of the semiconductor memories 70 of Solomon and Yamazaki).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the operation unit of Goldenberg with the portable devices of Solomon and Yamazaki for the benefit of allowing easier selection of displayed items as taught by Goldenberg in the abstract.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Solomon and Yamazaki as applied to claim 1 above, and further in view of Japanese publication number 10-199124 published July 31, 1998 by Nakamura Yoshiyuki ("Yoshiyuki").

Yoshiyuki discloses the operation unit has a ring-shaped portion that is rotated to be operated, and a direction indicating unit that is arranged inside the ring-shaped portion and indicates linear directions (the rotation operating means 21 functions as both a jog dial and a shuttle ring. A direction indication operating means 22 is provided in the inside. Thereby, the rotation operating means and the direction indication operating means are constituted integrally).

It would have been obvious to one of ordinary skill in the art at the time of invention to include the input device of Yoshiyuki with the portable devices of Solomon and Yamazaki in order to prevent enlarging a device and to improve operability by constituting integrally a rotation operating means and a direction indication operating means as taught by Yoshiyuki.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Japan 2001-119662 by Azuma Sadayoshi discloses a video editing device that displays two images and has a plurality of memory insertion units (because the reference is from the last decade, the memory is magnetic. However, replacing magnetic memory with semiconductor memory is within the ordinary skill).

U.S. Patent Number 6,134,103 issued to Ghanna discloses a shaft portion with shaft end operation portions as shown in figure 6.

U.S. Patent Application Publication 2002/0186530 discloses a main body of portable dimensions, and a cover that is so supported as to open and close freely in relation to the main body, and has its one surface facing the main body made to be of substantially the same shape as that of the main surface of the main body, wherein the display unit is arranged on the surface of the cover facing the main body.

U.S. Patent Application Publication 2003/0058217 discloses an operation unit that is rotated to be operated and a direction indicating unit that indicates linear directions.

U.S. Patent Number 6,903,662 discloses an operation unit that is rotated to be operated and can move in parallel with the direction of the images as shown in fig. 3.

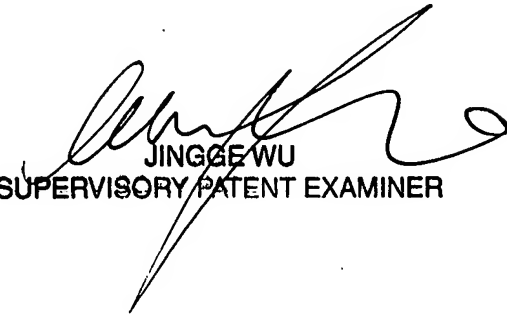
Logitech spacemouse classic product overview discloses an operation unit that is rotated, can move in a parallel direction, and can indicate linear directions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey S. Smith whose telephone number is 571 270-1235. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jingge Wu can be reached on 571 272-7429. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JSS
May 24, 2007



JINGGE WU
SUPERVISORY PATENT EXAMINER